

REMARKS

Claims 1 and 5 have been amended and together with claims 2 and 3 remain in the application. The Applicant has noted the examiner's rejection of claims 1 and 5 under 35 U.S.C. Section 102(e) as being unpatentable over Barr et al (5,873,076), and the examiner's rejection of claims 2 and 3 under 35 U.S.C. Section 103(a) as being unpatentable over Barr et al (5,873,076) in view of Shavit et al. (4,799,156), and respectfully requests reconsideration and withdrawal of the examiner's rejections.

Applicant respectfully submits that claims 1 and 5, as amended, are not anticipated by Barr and claims 2 and 3 are not unpatentable over Barr et al in view of Shavit et al. for the reasons discussed below.

Section 102 (e) Rejection. Section 2131 of the Manual of Patent Examining Procedure states: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)." MPEP Section 2131. "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). In the present case, the Applicant respectfully submits that Barr et al does not disclose a system with one or more software applications for entering a single search query for multiple types of products/services, and receiving as search results a listing of suppliers of such products/services ranked by which supplier can best fill the entire order and indicating for each supplier the types and quantities of such products/services within the supplier's inventory. Barr et al is an information retrieval system pertaining to documents, not products/services (including the then current inventory data for same from multiple suppliers) available for purchase via the system. Barr et al only discloses simple search queries involving a single question or item. The

Applicant respectfully submits that Column 4 lines 41-45 of Barr et al does not, as the examiner states in Paragraph 3 of the office action, refer to any means for buyers of products/services to search for multiple different types and quantities of products/services by entering a single search query covering all of such products/services. Lines 40-45 of Column 4 read in their entirety as follows: “A plurality of records, each of which is representative of at least one information file, are stored in a database. A single search query corresponding to the search topic is received. The database is searched in accordance with the single search query to identify records related to the single search query.” The single search query in Barr et al is shown in Fig. 4A of Barr et al: the query is “who was James Doohan?” The Barr et al system will run a conventional simple word search on its content file database (not a database including the product/service inventories of suppliers) and produce search results listing content files ranked by the content file that uses the queried word the most in its text. This simple single item query processing is also explained in Fig. 2 of Barr et al. As explained in lines 9-23 of Column 4 of Barr et al, the single search query disclosed is a simple natural language word query that is parsed against a topic word index, which references documents in the database that correspond to the topic word in some way. While it may be a single search query, it is simple single search query for a single topic. It is not a search of product/service supplier inventories using a single search query for multiple types and quantities of products/services, with the results being a list of suppliers ranked by who can provide the greatest number of types and quantities of the products queried, showing the types and quantities held by each supplier in its inventory. This information provides a useful point of comparison of the market for the entire product order all via a single query, a result that would otherwise take numerous queries to multiple different systems and suppliers followed by gathering and comparison of the multiple different search results. Please refer to the Applicant’s Figures 3 and 4 for representative embodiments. Barr is not an electronic commerce purchase

system, the databases are not inventory databases that fluctuate over time and the queries are not for all items in a multiple item purchase order. All of such words in the Applicant's claims are being ignored to attempt to equate Barr et al with the Applicant's invention when Barr could not perform the same function or accomplish the same results as the Applicant's invention. The Applicant therefore respectfully requests that the examiner withdraw the Section 102(e) rejection of claims 1 and 5.

Section 103(a) Rejection. For the reasons stated above as to Barr et al, the combination of Barr et al and Shavit et al. do not teach or suggest all of the limitations of the Applicant's claims 2 and 3. Even if Barr as to be combined with Shavit to include RFQ functionality and allow users to access supplier systems in order to provide an online interactive sales service, nowhere in Barr et al or Shavit et al is there any teaching or suggestion of providing one or more software applications enabling users seeking to fulfill a purchase order for multiple different types and quantities of products/services to enter a single query including all of the products/services sought to be ordered and receive as search results a list of suppliers that can best fill the entire multiple product/service order, showing for each supplier the types and quantities of such products/services in their inventories. Barr et al combined with Shavit et al. still does not provide all of the features or results of the Applicant's system as claimed. Barr does not make any mention of dealing with product/service inventories from multiple suppliers, which would need to be constantly updated to provide accurate search results, which is not an issue in document and media file databases. The "relevance" of a document in Barr et al is not equivalent to the Applicant's system's supplier ranking by who has the most number of types and quantities of the products/services sought to be purchased by a system user in a single order. Instead, in Barr et al, at Column 6 lines 48-53, the words in the single topic query are each assigned a weight depending on whether the word is a proper noun or a "slow word."

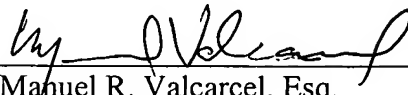
“Information is selected from the information retrieval system in accordance with the adjusted weight.” Additionally, as explained in Column 9, lines 33-38 of Barr et al, “the term ‘natural language query’ is used to refer to a question, sentence, sentence fragment, single word or term which describes (in natural language form) *a particular topic or issue* for which a user of a user station seeks to identify information.” It is not a single query including multiple types and quantities of products/services sought to be purchased in a single order. The relevance ranking in Barr et al, as explained in Column 13, lines 43-50 of Barr et al, teach “proximity evaluation” for ranking, ordering the search results by documents that have the words in the search closest to each other in the document. Such ranking would be useless in the Applicant’s invention and would not achieve the results achieved by the Applicant’s system, enabling a user to pick the best supplier from multiple suppliers to fulfill an entire product order all via one query on one system. The Applicant therefore respectfully requests that the examiner withdraw the Section 103(a) rejection with respect to claims 2 and 3.

The Applicant respectfully submits that the application and claims, as amended, are in condition for allowance. Nonetheless, should the examiner still have any comments, questions or suggestions, the examiner is respectfully requested to telephone the undersigned at the telephone number listed below.

Respectfully submitted,

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